

## **BULGARIA (Tier 2)**

Bulgaria is a source and, to a lesser extent, a transit and destination country for women and children who are subjected to sex trafficking and men, women, and children subjected to forced labor. Bulgarian women and children are subjected to sex trafficking within the country, particularly in Sofia, resort areas, and border towns, as well as in Austria, Belgium, Cyprus, France, Germany, Greece, Italy, Macedonia, the Netherlands, Norway, Poland, Spain, Sweden, Switzerland, Turkey, the United Kingdom, and the United States. Bulgarian men, women, and children are subjected to forced labor in Belgium, Cyprus, the Czech Republic, Germany, Greece, Israel, Italy, Lithuania, the Netherlands, Norway, Spain, Sweden, the United Kingdom, and Zambia, predominantly in agriculture, construction, and in restaurants. Ethnic Roma men, women, and children represent a significant share of identified trafficking victims. Some Bulgarian children are forced into street begging and petty theft within Bulgaria and also in Greece, Italy, Sweden, and the United Kingdom.

The Government of Bulgaria does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government increased funding for two state-owned trafficking shelters and provided assistance for more women and child victims. However, shelter capacity for female victims was insufficient relative to the number of victims identified, and the government lacked specialized services for male victims. Authorities investigated and prosecuted more labor trafficking cases, yet the overall number of cases remained low. Law enforcement efforts were hampered by sentences for convicted traffickers that were inconsistent with the gravity of the crime. Law enforcement action against public officials and police officers complicit in trafficking offenses remained limited.

Enhance efforts to investigate, prosecute, and convict trafficking offenders, particularly for labor trafficking; ensure, including through legal changes, that convicted offenders serve time in prison; proactively target, investigate, prosecute, and convict government officials complicit in trafficking, and ensure convicted officials receive prison sentences; increase the capacity of existing shelters for adult female trafficking victims; ensure male victims can receive shelter, reintegration assistance, and legal services; ensure investigative units have sufficient resources and clear lines of responsibility among them; ensure prosecutors supervising trafficking cases receive additional specialized training; increase the number of victims referred by government officials to service providers for assistance; implement and manage a comprehensive database of all victims who have been identified, referred, and assisted; and allocate government funding for outreach activities to Roma communities.

The Government of Bulgaria made mixed progress in anti-trafficking law enforcement efforts, as the government prosecuted and convicted a considerable number of traffickers, but sentenced the majority of those convicted with suspended sentences. Bulgaria prohibits all forms of both sex and labor trafficking through Article 159 of its criminal code, which prescribes penalties of between two and 15 years' imprisonment for convicted offenders, in aggravated cases. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In September 2013, Parliament passed amendments to the penal code that expanded the trafficking definition to include begging as a form of exploitation and increased the penalty for public officials who commit an act of trafficking in relation to official duties. The prosecution service launched 82 sex trafficking investigations and 12 labor trafficking investigations in 2013, compared with 121 sex trafficking and seven labor trafficking investigations conducted in 2012. Authorities charged 114 defendants with sex trafficking and five with labor trafficking in 2013, compared to 91 and two, respectively, in 2012. The government convicted 85 sex trafficking offenders and five labor trafficking offenders in 2013, compared to 94 sex trafficking offenders and three

labor trafficking offenders convicted in 2012. Four of the five convicted labor trafficking offenders received a suspended sentence; one trafficker was sentenced to up to three years' imprisonment. Fifty-five of the 85 convicted sex trafficking offenders—65 percent—received a suspended sentence; 26 were sentenced to up to three years' imprisonment, three received up to five years' imprisonment, and one received from five to ten years' imprisonment. The government provided specialized training for police officers, investigators, prosecutors, and judges. Bulgarian authorities collaborated with foreign governments on trafficking investigations, including Cyprus, France, Germany, and the Netherlands. In June 2013, the government moved the anti-organized crime unit from the Ministry of Interior to the National Security Agency (DANS) and began structural changes to the public prosecution office; the reorganization stalled human trafficking investigations for several months in 2013, and observers reported that trafficking cases were no longer supervised by prosecutors with subject matter expertise. The Ministry of Interior created a new unit to investigate human trafficking near the end of 2013, but the legislation defining its powers and functions was not in place as of April 2014, and it was unclear how responsibilities would be divided between this new unit and the anti-organized crime unit in DANS. The government demonstrated inadequate efforts to combat trafficking-related complicity of government officials in the reporting period. The government did not begin investigations of any police officers in 2013 for trafficking or trafficking-related complicity. By comparison, the government investigated five police officers in 2012, seven police officers in 2011, and 12 police officers in 2010. The alleged criminal acts that were the subject of the 2012 investigations included forcing a woman into prostitution, recruiting victims, and warning traffickers of planned police raids. In February 2014, a trial court acquitted a police officer who was accused of forcing a woman into prostitution in 2012; he was reinstated to his previous position. One investigation on drug trafficking charges was ongoing against a former police officer who was also allegedly complicit in human trafficking from 2006 to 2012. The status of the other three investigations from 2012 was unclear. In January 2013, a court imposed a 10-year sentence on a former municipal councilor who was charged with leading an organized crime group involved in human trafficking; an appeal of the sentence is pending. There were no other reported prosecutions or convictions against public officials in the reporting period. As part of the restructuring of the service responsible for combating organized crime, all of its officers, including from the anti-trafficking unit, underwent security checks and professional testing in order to be reappointed at DANS. Some officers chose not to submit to the tests and opted to move to the Ministry of Interior. There were continued allegations of corruption of local police officers responsible for investigating trafficking, including that officials leaked information that compromised several anti-trafficking operations.

The Government of Bulgaria's record in victim protection was mixed. The government allocated more money for shelters and assisted more women and child victims, and two state-run shelters received increased funding and provided care for more women; however, the government provided services to a limited number of victims overall. The prosecution service identified 428 victims of sex trafficking and 55 victims of labor trafficking in 2013, compared to 574 sex trafficking victims and 72 labor trafficking victims identified in 2012. The government allocated the equivalent of approximately \$82,700 for victim assistance to the two state-run shelters in 2013, an increase from the equivalent of approximately \$62,500 allocated in 2012 and \$29,100 allocated in 2011. NGOs provided victim services in these shelters, including medical and psychiatric services, and assistance in reintegration, such as preparation for job interviews. Each shelter had capacity to house six adult females, and throughout 2013 the two shelters accommodated 29 female victims in total, an increase from 24 victims assisted in 2012 and nine victims assisted in 2011. Victims could leave the shelters on their own without supervision. The government did not offer male victims specialized services, including shelter, legal aid, and reintegration assistance, although

authorities assisted male victims with their repatriation and issuance of identity documents. The government operated 15 crisis centers for child victims of violence that provided shelter and psychological and medical assistance to 60 child victims of trafficking in 2013, compared to 24 in 2012. Observers reported that authorities did not consistently refer victims to NGOs to receive services. In 2013, the government trained social workers, crisis center staff, health specialists, and law enforcement experts on identifying and working with child victims of trafficking. The government did not identify any foreign victims of trafficking. However, Bulgarian law allowed foreign victims who cooperate with law enforcement to stay and work in Bulgaria for the duration of criminal proceedings before deportation. Foreign victims who chose not to assist in trafficking investigations were permitted to remain in Bulgaria for 40 days for recovery before deportation to their country of origin; the recovery period for foreign child victims was 70 days. No victims applied for compensation in Bulgaria; observers reported that the process for seeking compensation continued to be overly bureaucratic and victims were not adequately informed of the opportunity to apply for compensation. There were no reports that the government penalized identified victims for unlawful acts they may have committed as a direct result of being trafficked.

The Government of Bulgaria demonstrated substantial efforts to prevent human trafficking. The inter-ministerial coordinating body, the National Commission for Combating Trafficking in Human Beings, spent the equivalent of approximately \$109,600 on prevention campaigns, training, conferences, and administrative expenses, an increase from the equivalent of approximately \$93,879 spent in 2012. The commission, in coordination with its nine local bodies, sponsored a number of prevention campaigns and trainings to raise public awareness of trafficking, particularly in Roma communities, and with school children and adults seeking work abroad. The commission trained labor mediators, who often encounter vulnerable workers, on how to prevent human trafficking. The Government of Bulgaria annually adopts a national action plan for combating human trafficking; the 2013 plan was approved in February 2013. The government demonstrated efforts to reduce the demand for commercial sex.